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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,844	12/20/2000	Rudy Bonefas	003636.0099	3893

7590 12/05/2006  
MANELLI DENISON & SELTER PLLC  
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WASHINGTON, DC 20016

EXAMINER

PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/739,844	<b>Applicant(s)</b> BONEFAS ET AL.	
	<b>Examiner</b> Hassan Phillips	<b>Art Unit</b> 2151	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-18 and 34-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to communications filed September 25, 2006.

#### ***Claim Objections***

2. Claims 20, 21, 25, 26, 30, and 31 are objected to because of the following informalities: the claim language is unclear and appears to omit essential steps. Claims 20, 25, and 30 similarly recite "routing said message to a least recently used protocol gateway". It is unclear to the examiner how this is possible when independent claims 19, 24, and 29 similarly recite, "a method of routing a message between a protocol gateway and a server..." Routing said message to a least recently used protocol gateway as recited in dependent claims 20, 25, and 30, implies routing said message from a protocol gateway to a least recently used protocol gateway when read in light of limitations recited in independent claims 19, 24, and 29. Such limitations are confusing at the least. Claims 21, 26, and 31 similarly recite "routing said message to said message router if said message router is a least recently used message router". It is unclear to the examiner how this is possible, when, as previously mentioned, independent claims 19, 24, and 29 similarly recite, "a method of routing a message between a protocol gateway and a server..." Routing said message to said message router if said message router is a least recently used message router as recited in dependent claims 21, 26, and 31, implies something other than a method of routing a message between a protocol gateway and a server as recited in independent claims 19, 24, and 29. Such a limitation is also confusing. Examiner recommends applicant define

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the claimed invention more clearly and distinctly. Appropriate correction is required. In order to advance prosecution, examiner has interpreted claims 20, 21, 25, 26, 30, and 31 as best understood.

### ***Response to Arguments***

3. Applicant's arguments filed January 21, 2005, with respect to claims 19-33 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 19-33, are rejected under 35 U.S.C. 102(e) as being anticipated by Oehrke et al. (hereinafter Oehrke), U.S. Patent 7,047,300.

6. In considering claims 19, 24, and 29, Oehrke discloses a message router (51) for routing a message between a protocol gateway (51) and a server (76), the message router comprising: an authenticator to authenticate an origin of said message, said

authenticator authenticating said origin of said message before said message is routed by said message router between a protocol gateway and a server, (col. 7; lines 56-60, col. 8, lines 4-9, 38-40, and col. 9, lines 19-41); and a database (53) accessible by said message router and adapted to store information relating to routing and authentication of said message, (col. 7, lines 56-60, and col. 8, lines 2-3).

7. In considering claims 20, 25, and 30, Oehrke discloses said message is routed to a least recently used protocol gateway (35), (col. 6, lines 26-42).

8. In considering claims 21, 26, and 31, Oehrke discloses said message is routed to said message router (35) if said message router is a least recently used message router, (col. 6, lines 26-42).

9. In considering claims 22, 27, and 32, Oehrke discloses said message router routes said message to a most specific server corresponding to a message key, (col. 9, lines 19-41).

10. In considering claims 23, 28, and 33, Oehrke discloses said message router routes said message based on a content of said message, (col. 7, line 60-col. 8, line 3, and col. 8, lines 20-33).


**Conclusion**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is 571-272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HP/  
11/30/06

  
**ZARNI MAUNG**  
SUPERVISORY PATENT EXAMINER